

EX PARTE OR LATE FILED
WILEY, REIN & FIELDING

ORIGINAL

1776 K STREET, N. W.
WASHINGTON, D. C. 20006
(202) 429-7000

DOCKET FILE COPY ORIGINAL

DONNA COLEMAN GREGG
(202) 429-7260

February 8, 1994

FACSIMILE
(202) 429-7049
FEB 8 '94
FEDERAL COMMUNICATIONS
COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Notification of Permitted Written Ex Parte
Presentation in MM Docket Nos. 92-266 & 93-215

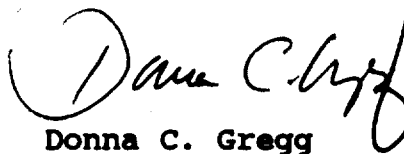
Dear Mr. Caton:

Blade Communications, Inc., by their attorneys and pursuant to Section 1.1206(a)(1) of the Commission's rules, hereby submits two copies of this memorandum regarding a permitted ex parte presentation to Commission officials regarding MM Docket Nos. 96-266 & 93-215.

Today at 3:30 p.m., Allan J. Block, Vice Chairman of Blade Communications, Inc., and David G. Huey, President of Buckeye Cablevision, Inc., along with Donna C. Gregg of Wiley, Rein & Fielding and U.S. Representative Marcy Kaptur, met with FCC Chairman Reed Hundt and Merrill Spiegel, Special Assistant to the Chairman. The discussion related to issues raised in the above-named company pleadings in the cable rate regulation dockets cited above.

Kindly direct any questions regarding this matter to the undersigned.

Respectfully submitted,


Donna C. Gregg

DCG/ddl

No. of Copies rec'd
List A B C D E



CABLE COMPARISON

<u>Cable Company</u>	<u>Monthly Charge</u>	<u>Number of Channels</u>
<u>Major Cities in Ohio</u>		
Warner - Akron	\$22.58	32
Warner - Cincinnati	27.52	41
Continental - Dayton	21.95	33
North Coast - Cleveland	22.85	49
Coaxial - Columbus	26.20	38
Warner - Columbus	25.90	28
Cablevision/Cleveland Area	22.45	31
AVERAGE OF MAJOR OHIO CITIES	\$24.21	36
THE CABLESYSTEM, TOLEDO <small>Effective 3/1/93</small>	\$20.95	42
<u>Nearby Suburban Systems</u>		
Triax - Waterville, Northwood	\$23.09	41
Phoenix - Bedford Township	21.23	38
Cablevision of Midwest - Walbridge	20.95	30

**The CableSystem Comparison
Buckeye Cablevision, Inc., Toledo, Ohio**

Rate History

<u>Year</u>	<u>Standard Rate</u>	<u>Active Channels</u>
1986	\$11.95	23
1987	\$11.95	29
1988	\$14.50	35
1989	\$14.50	38
1990	\$16.95	40
1991	\$18.95	42
1992	\$19.95	42
1993	\$20.95	42

<u>Comparison</u>	<u>1986</u>	<u>Pre-Reg 1993</u>	<u>% Increase</u>
Rates-Standard Service	\$11.95	\$20.95	75.3%
Channels	23	42	82.6%
Programming Costs	\$965,080	\$4,672,040	384.1%
Phone Hours Available/Week	54 hours	168 hours	211.1%
Number of Customers	103,704	119,834	15.5%

THE CABLESYSTEM
COMMITTED TO SERVING YOU

No one can be perfect. But, at The CableSystem, we strive to be very good in our service to customers, because that's what you are entitled to and deserve. As the managing executives of The CableSystem, we accept responsibility for ensuring the quality of service. If you experience any problems with The CableSystem or its people which are not resolved through the normal channels of our customer relations department at 866-9800, please write or call us (see below).

Our people are committed to offering the very best customer service. Telephone representatives answer over 600,000 phone calls annually, staffing the phones 24 hours a day, 365 days a year. Technicians make 45,000 service repair calls annually and are available 7 days a week, 365 days a year. System outages due to lightning or wind damage and electrical failures are responded to immediately day or night. Our people work hard to meet your expectations and earn your loyalty.

In addition to our commitment to you, the Federal Communications Commission has recently issued new regulations in which technical standards have been implemented. One of the regulations requires The CableSystem to inform you, our customer, who you may contact in your city, village, or township if you are dissatisfied with The CableSystem's handling of a signal quality problem which you have brought to our attention. Listed on the reverse side is the address and telephone number of the appropriate official for each city, village, or township The CableSystem serves.

Once again, no one can be perfect, but we pledge to you we will not be satisfied with the status quo. We will constantly strive to improve our service to meet your expectations.

The true measure of success is not in our minds, but in the minds of customers served.

Sincerely,

Allan Block

Allan Block
Chairman of The Board
541 Superior Street
Toledo, Ohio 43660
Business: 245-6035
Home: 242-6739

David G. Huey

David G. Huey
President and General Manager
5566 Southwyck Boulevard
Toledo, Ohio 43614
Business: 866-5802
Home: 885-2773



November 18, 1992

Cable Television Consumer Protection and Competition Act of 1992

FCC-Mandated Customer Service Standards

All standards are effective July 1, 1993

FCC Standard Is:

The CableSystem TM Does:

- For us to maintain a local toll-free or collect access line 24 hours a day, 7 days a week. During normal business hours (hours during which most similar businesses are open to serve customers, and must include evening hours at least one night per week and/or some weekend hours), the phones must be staffed by trained company representatives. An answering service or machine may be used at other times, but if so, inquiries received after hours must be responded to the next business day.

- Already provide a toll-free (collect to about 225 who live on the Curtice-Elmore exchange) 24 hours a day 365 days a year. We staff the phones full time with trained customer service representatives who are able to answer immediately most questions posed by callers. We DO NOT use an answering service. An answering machine answers phones when all CRAs are occupied on other calls. The average wait time of all calls is 13 seconds.

- For a trained customer service representative to be on the phone within 30 seconds after a connection is made, and that if the call is transferred, the transfer must be completed within 30 seconds. These standards must be met 90 per cent of the time, and stipulate that the phones will be busy less than three per cent of the time.

- With proper training of personnel and thus offering one-stop shopping for customers, have a policy NOT to transfer phone calls. Calls are transferred only if the customer asks for a specific CRA by name or for a supervisor. In 1993, our telephone answering standards have been met 98 per cent of the time, with an average hold time of 13 seconds. Seventy-four per cent of the calls are answered live, and the phones were busy 0 per cent of the time.

- For the customer service center and bill payment locations to be open at least during normal business hours (see above) and to be conveniently located.

- Keep our lobby at 5886 Southwyck Blvd. open from 8 a.m. to 7 p.m. Mondays through Fridays and from 8 a.m. to 4 p.m. Saturdays. The DeVeaux branch office, in the Food Town Plus store at Sylvania Avenue and Douglas Road, and the Oregon branch office, in the Food Town Plus store at 3010 Navarre Ave., are open from 1 to 7 p.m. seven days a week. Through research, we have found these hours to be most useful and convenient to our customers. In addition, bills may be paid at 18 Huntington Bank locations or at the payment drop boxes at all three offices.

- That standard installations (up to 125 feet from existing plant) will be performed within seven business days after the order is placed.

- Perform installations (up to 180 feet from existing plant) the next day if the order is placed by 5 p.m. All others are completed the following day unless the customer wishes a later schedule.

- 'Appointment windows' will be either a specific time or, at maximum, a four-hour time block during normal business hours.

- Offer one-hour appointment windows for installations and two-hour windows for service calls. Installations are scheduled from 8 a.m. to 9 p.m. Mondays through Fridays and from 8 a.m. to 5 p.m. Saturdays. Service calls are scheduled from 8 a.m. to 9 p.m. Mondays through Thursdays, from 8 a.m. to 7 p.m. Fridays, from 8 a.m. to 5:30 p.m. Saturdays, and from 10:30 a.m. to 7 p.m. Sundays. We also offer, for a fee, exact-time appointments.

- That we begin working on service interruptions within 24 hours after the interruption becomes known, and that we begin working to correct other service problems the next business day after notification of the problem.

- Resolve all service-interruption problems within two hours, anytime day or night, sometimes with temporary solutions. We then have ALL service interruptions cleared up with permanent repairs within 24 hours.



The CableSystem®
866-9800

August, 1993

Dear Customer,

We at The CableSystem have pledged to keep our subscribers fully informed about developments related to implementation of the Cable Television Consumer Protection and Competition Act of 1992 and to communicate at the earliest time any necessary changes resulting from FCC implementation of the new law. The purpose of this letter is to tell you about complex changes in your bill.

Some bills will go up while others go down, but overall, under the new FCC regulations, our average customer bill will decrease. Customers with additional outlets will see the greatest savings.

The FCC rate regulations are scheduled to go into effect on Sept. 1, and on that date the following monthly rate changes will be implemented:

- I. Additional outlets will go from \$2.50 to no charge!
- II. CATV Basic will drop from \$11.95 to \$9.78.
- III. A separate home-wiring maintenance fee of 31 cents per home, which had been a part of the service fee, now will be charged separately.
- IV. Satellite Services will increase from \$9 to \$10.76.
- V. The remote control service charge of \$3 will be changed to a remote rental charge of 29 cents and a converter rental charge of \$2.54 plus tax.
- VI. The charge for an additional converter will drop from \$8.95 to \$2.54 plus tax.
- VII. There will be a new charge of \$4.95 each for duplication of premium service(s) on the second and subsequent converters. Premium service prices will be unaffected.

For complete explanations of each of these and other price changes, please read the accompanying explanation sheets. Each of these changes is numbered the same on the yellow sheet. If you still have questions, please call our customer relations representatives at 866-9800. We answer our phones 24 hours a day. Please be understanding at this time, as a heavy volume of telephone calls about this confusing issue might result in temporary delays in telephone response.

What is our feeling at The CableSystem about the price changes? Obviously, we don't like them because they create confusion among all our customers -- and they will reduce our total revenue. Furthermore, the legislation essentially limits future rate increases to the Gross National Product-Price Index, leaving nothing for investment in new technology or expansion.

We feel our rates over the years have been fair. Every other major city in the state has had higher rates. We have always tried to practice restraint and set reasonable rates. We are making our very best effort to comply with the law and to make its impact on you as minimal as possible, while offering you all the advantages due you under the regulations.

Sincerely,

Allan Block

Allan Block
Chairman of the Board
541 Superior Street
Toledo, Ohio 43660
Business: 245-6035
Home: 242-6739

David G. Huey

David G. Huey
President and General Manager
5566 Southwyck Boulevard
Toledo, Ohio 43614
Business: 866-5802
Home: 885-2773

Comparison of Old, New Rates Under The Cable Television Consumer Protection and Competition Act of 1992

(Effective Sept. 1, 1993)

Item or Service Category		Old Rate	New Rate
I.	Additional outlet ¹ (AO) with no converter	\$2.50	\$0.00
	<u>Total Monthly Fee: AO, no converter</u>	<u>\$2.50</u>	<u>\$0.00</u>
II.	CATV Basic ² (See notes on adjacent sheet)	\$11.95	\$9.78
	Franchise Fee ³	Included in Above	.29
III.	Home Wiring Maintenance Fee ⁴	Included in Above	\$.31
	<u>Total Monthly Fee: CATV Basic</u>	<u>\$11.95</u>	<u>\$10.38</u>
IV.	CATV Basic	\$11.95	\$9.78
	Satellite Services (not available separately) ⁵	\$9.00	\$10.76
	Franchise Fee ³	Included in Above	\$.62
	Home Wiring Maintenance Fee ⁴	Included in Above	\$.31
	<u>Total Monthly Service Fee: CATV/Satellite Services</u>	<u>\$20.95</u>	<u>\$21.47</u>
V.	Remote Control ⁶	\$3.00	\$.29
	Tocom Converter ⁶	Included in Above	\$2.54
	Ohio Sales Tax ⁷	No Charge	\$.18
	<u>Total Monthly Fee: converter, remote</u>	<u>\$3.00</u>	<u>\$3.01</u>
	Tocom Converter, no remote ⁶	No Charge	\$2.54
	Ohio Sales Tax ⁷	No Charge	\$.16
	<u>Total Monthly Fee: converter, no remote</u>	<u>No Charge</u>	<u>\$2.70</u>
	Remote function only, use own remote	\$3.00	No Charge
	Tocom Converter ⁶	Included in Above	\$2.54
	Ohio Sales Tax ⁷	No Charge	\$.16
	<u>Total Monthly Fee: converter, remote function</u>	<u>\$3.00</u>	<u>\$2.70</u>
VI.	Additional outlet, converter and remote	\$8.95	
	Additional outlet ¹	Included in Above	\$0.00
	Converter ⁶	Included in Above	\$2.54
	Remote ⁶	\$3.00	\$.29
	Ohio Sales Tax ⁷	No Charge	\$.18
	<u>Total Monthly Fee: AO, converter, remote</u>	<u>\$11.95</u>	<u>\$3.01</u>
VII.	Converter ⁶ on additional outlets with premium service	\$8.95	\$2.54
	Each AO converter authorized for any premium service available on primary outlet ⁹	Included in Above	\$4.95
	Additional Outlet ¹	Included in Above	\$0.00
	Franchise Fee ³	Included in Above	\$.15
	Ohio Sales Tax ⁷	No Charge	\$.16
	<u>Total Monthly Fee: AO with premium service</u>	<u>\$8.95</u>	<u>\$7.80</u>

Explanatory Notes

¹ The additional outlet charge has been a part of our fee structure since the founding of this company in 1966. We believe it has been fairly priced, and increases have not even kept pace with inflation. However, under the new FCC rules, it is not permissible to continue charging the additional outlet fee. Part of the cost of maintaining the system had been covered by the revenue generated by the additional outlet fee.

² In order to comply with the guidelines established by the FCC, we have moved two channels from the Satellite Services to be included in the CATV Basic and have reduced the price for CATV Basic from \$11.95 to \$9.78, while making it possible to order premium services and Pay-Per-View events. The channels are Impulse Marquee and Prevue Guide (on Chs. 14A and B respectively, on cable-ready TV sets only).

³ The franchise fee (the amount we pay for the use of public rights-of-way for our cables) is not new and does not add to your total bill. It formerly had been included as part of your basic service, but now is listed separately. Before, the statement showed level of service, premium channels, remote function, and any Impulse ® Entertainment items purchased. The FCC now requests us also to itemize equipment rental, sales tax, and franchise fees (three per cent of CATV Basic and Satellite Services and additional outlets, and two per cent of premium service charges). That's why you see more lines and figures on your statement.

⁴ The home wiring maintenance fee had been included in the monthly charge for service, either CATV Basic or the Standard Satellite Service, and provided us the resources to make no-charge service calls whenever you called. Now that we must itemize all charges, this will appear as a separate fee on your statement. If you pay the home wiring maintenance fee, we will continue to make service calls at no charge. If you do not wish to pay the monthly maintenance fee, call and we will remove it from your statement. However, if you choose to cancel this service, each repair call to your home will cost \$25, unless the problem is due to wiring outside the home or to any of our electronic equipment.

⁵ The 22-channel Satellite Services has gone from \$9 to \$10.76 per month, meaning that the total monthly charge for the full 42-channel CATV Basic and Satellite Services (including local franchise fee of 62 cents and home wiring maintenance fee of 31 cents) has gone from \$20.95 to \$21.47. That 52-cent increase is brought about by the government-mandated restructuring of charges and offerings under the guidelines established nationally. You, our customers, have been enjoying lower than standard rates, but these now must be increased while other charges are reduced to bring our total fee structure in line with Washington's demands and to offset revenue being lost by the reduction in charges for additional outlets.

We have exercised responsible restraint in setting our fees in the past, but now must yield to the mandates of the Cable Act. While you may have heard reports in the media about rate rollbacks averaging 10 per cent and more, those reports were misleading in that they

The Real Competitive System in the U.S.: Allentown, PA

	SERVICE ELECTRIC CABLE TV		TWIN COUNTY CABLE TV	
	NUMBER OF CHANNELS	RATE FOR BASIC (per month)	NUMBER OF CHANNELS	RATE FOR BASIC (per month)
1984	26	7.50	26	7.65
1985	27	7.50	31	8.50
1986	31	N/R	31	9.00
1987	31	N/R	31	9.00
1988	40	11.50	39	7.65
1989	40	12.95	39	7.65
1990	40	14.99	39	14.50
1991	40	14.99	39	14.50
1992	45	19.00	42	18.50
1993	45	19.00	42	18.50
CURRENT AS OF 02/08/94	49	21.50	40	21.15

* Prices cited do not reflect any applicable taxes.

* N/R indicates that the rate was not reported.

* All numbers taken from Television & Cable Fact Book except current numbers which were obtained directly from cable operator.

* Number of channels calculated according to following formula:

cited channel capacity less number of channels not in use, less number of channels assigned to pay service, less number of channels set aside for pay per view.